

MOTION BY SUPERVISOR MARK RIDLEY-THOMAS

NOVEMBER 24, 2009

Conditional Use Permit for a Multi-Family Residence in West Carson

The hearing before the Board today is a request to appeal a Conditional Use Permit (CUP) to authorize the construction of a three-story duplex in a C-3 zone located at 21603 Berendo Avenue in unincorporated West Carson.

When this case was first reviewed on January 20, 2009, the Hearing Officer denied the application on the basis that the proposed use was inconsistent, and would adversely impact, the surrounding single family residential community. Additional modifications were made to the application that led to an approval by the Planning Commission of the project. However, the height, density, size and character of the proposed building are still of incompatible character to the community and will have a significant negative impact on its neighbors, a position reinforced by the 300 letters of opposition received from residents located within the surrounding community.

While the property is currently zoned C-3, it is adjacent on all sides to single family residences and an apartment building. With few exceptions, one and two story buildings, which range from 11 to 25 feet in height, are a consistent characteristic of the greater residential area. The proposed height of 31 feet at 21603 Berendo Avenue will

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MOTION

MOLINA _____

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KNABE _____

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create a significant adverse impact to the residential properties in the immediate vicinity by blocking light, eliminating views, compromising privacy and potentially reducing property values.

Furthermore the lack of compliance with the zoning code demonstrates that the project is uncharacteristic of the surrounding community. When the application was processed, the Planning Department noted that there is an unpermitted structure on the property that has yet to be demolished and this matter should be promptly addressed.

I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

- Close the public hearing and find that the project as modified by this motion is Categorically Exempt from the California Environmental Quality Act;
- Indicate the Board's intent to deny the appeal and modify the Regional Planning Commission's approval of the CUP to limit the structure to a two story building with a maximum height of 25 feet, maintain a minimum 5-foot rear yard setback along its entire length, and ensure that any windows on the upper story is designed to maximize the privacy of neighbors to the rear;
- Add an additional condition of approval that requires the applicant, within 90 days of the approval date of this CUP, to demolish the unpermitted structures on the premises;
- Direct County Counsel to prepare the final findings and conditions of this CUP to bring back to a future Board of Supervisors meeting for the Board's consideration;

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- Direct the Department of Regional Planning to begin enforcement proceedings should there be any indication in the future that the new residence is being used for an unauthorized use.

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